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09/760,267	01/12/2001	Shimon G. Ziv-el	260198.90127	2649

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EXAMINER

HARRIS, CHANDA L

ART UNIT

PAPER NUMBER

3714

DATE MAILED: 12/30/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/760,267

Applicant(s)

ZIV-EL ET AL.

Examiner

Chanda L. Harris

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 November 2002.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-35 and 37 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

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### DETAILED ACTION

In response to the Amendment filed on 11/8/02, Claims 1-35 and 37 are pending. Claim 36 is cancelled.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

JR  
12/24/02  
**Claims 1-12,<sup>13</sup><sub>4</sub> 14-17, 20-22, 25-35 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ziv-EI (US 6,302,698 B1) in view of Helmick et al. (US 6,470,171 B1).**

1. [Claims 1, 4, 9, 16-17, 27,30]: Regarding Claims 1, 4, 9, 16-17, 27, and 30, Ziv-EI discloses at least one data storage server for storage of lessons, said lessons including exercises having questions and multi-character answers; wherein the student computer includes program instructions (i.e. frame) for immediately transmitting each character resulting from an input on the student computer, to the response server; further comprising comparison and evaluation logic for comparison and evaluation logic for comparison and evaluation of the character with a homologous character of at least one answer to the question; and wherein the teacher's computer includes program instructions for the teacher's screen to be contemporaneously responsive to the

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character from the student keystroke and to the result of the comparison and evaluation. See Col.4: 10-15, Col.8: 33-37, Col.11: 19-24, and Col.18: 39-42. Ziv-EI discloses a response server in communication with the student computers for processing student responses. See Col.7: 43-51. Ziv-EI discloses Web browsers on the teacher's computer and the student computers for communicating through a Web server in response to URL's received from the teacher and student computers. See Col.7: 61-65 and Col.8: 3-11, 33-37. Ziv-EI discloses wherein a teacher's computer and the students' computers include program instructions responsive to inputs to cause an exercise, including a Web page relating to a URL, to be displayed on the screen of at least one of the student computers: See Col.8: 53-58.

Ziv-EI does not disclose expressly lessons including exercises having URL's (i.e. hypertext links) and displaying a web page by referring to a URL received with the exercise. However, Helmick teaches such in Col.5: 14-16 and Col.8: 25-29. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate lessons including exercises having URL's and displaying a web page by referring to a URL received with the exercise into the method and system of Ziv-EI, in light of the teaching of Helmick, in order to direct a student to content related to a lesson.

2. [Claims 2,28]: Regarding Claims 2 and 28, Ziv-EI discloses wherein the teacher and the students communicate through an Internet. See Col.3: 66-Col.4: 9.
3. [Claims 3, 25, 29]: Regarding Claims 3, 25, and 29, Ziv-EI does not disclose expressly wherein the teacher and the students communicate through an Intranet.

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However, communicating through an Intranet is old and well known in the art.

Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate into an Intranet into the method and system of Ziv-EI, in light of the teaching of Helmick, in order to provide local area network connectivity.

4. [Claims 5-6,10,31-32,35]: Regarding Claims 5-6,10, 31-32, and 35, Ziv-EI discloses wherein the teacher's computer includes program instructions for selecting a student response on a screen for display on the student computers and wherein the teacher's computer is immediately responsive to an aggregate of correct and incorrect student responses. See Col.6: 51-59.

5. [Claim 7]: Regarding Claim 7, Ziv-EI discloses wherein the teacher's computer includes program instructions responsive to teacher inputs to cause a Web page to be previewed on the screen of the teacher's computer by retrieval from the data storage server. See Col.17: 41-50.

6. [Claims 8,17,33]: Regarding Claims 8,17, and 33, Ziv-EI discloses wherein the screen of the teacher's computer is immediately responsive to a Web link (i.e. URL) selected on the screen of the student computer. See Col.18: 39-48.

7. [Claims 11,34]: Regarding Claims 11 and 34, Ziv-EI discloses wherein the teacher's computer includes program instructions for selecting a student response on the screen of the teacher's computer and subjectively modifying a score resulting from operation of the comparison and evaluation logic on response data received from at least one of a plurality of student computers. See Col.4: 10-15.

8. [Claims 12, 22]: Regarding Claims 12 and 22, Ziv-El discloses wherein the plurality of student computers are immediately responsive to a result of the comparison and evaluation logic through a feedback signal receivable at each of the plurality of student computers. See Abstract and Col.4: 24-26.

9. [Claim 14]: Regarding Claim 14, Ziv-El discloses wherein at least one of the plurality of student computers has a screen which displays a separate response text box and an explanation text box; and wherein the comparison and evaluation logic is responsive to inputs to the two respective text boxes to distinguish between inputs to the respective text boxes. See Col.12: 40-43 and Col.19: 30-62.

10. [Claims 15,37]: Regarding Claims 15 and 37, Ziv-El does not disclose expressly a "Wait mode" message to be sent to at least one student computer to block access to the response server. However, he teaches such in Col.2: 5-28. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate into the method and system of Ziv-El a Wait mode message in order to give students a predetermined time in which to respond to questions.

11. [Claim 20]: Ziv-El does not disclose expressly wherein the question is communicated with the URL to each of the plurality of students. However, Helmick teaches such in Col.5: 14-16 and Col.8: 25-29. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate a question communicated with the URL into the method and system of Ziv-El, in light of the teaching of Helmick, in order to direct a student to a question related to the educational content.

12. [Claim 21]: Regarding Claim 21, Ziv-EI discloses wherein the correctness of a response can be overridden by the teacher pointing to the response and arbitrarily assigning a score to the response using a dialog box. See Col.4: 10-15.

13. [Claims 13, 26-27]: Regarding Claims 13, and 26-27, Ziv-EI does not disclose expressly wherein the teacher's computer includes program instructions for importing Web pages associated with one or more external websites from a file system, placing them in a location on the file system of the Web server, and generating a URL (i.e. hypertext links) for the location or wherein the student computers display a window (e.g. by posting) displaying a least one page associated with an external Web site and a question (e.g. content) concerning the Web page. However, Helmick teaches such in Col.5: 14-16 and Col.6: 38-41. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate the aforementioned limitations into the method and system of Ziv-EI, in light of the teaching of Helmick, in order to direct a student to content related to a lesson.

**Claims 18-19 and 23-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ziv-EI.**

1. [Claims 18]: Regarding Claims 18, Ziv-EI discloses communicating a URL for the Web site to each of the plurality of students. See FIG.7 and Col.18: 39-45. Ziv-EI does not disclose expressly communicating responses to a database. However, the use of databases to store responses as they are formed is old and well known in the art. Therefore, at the time of the invention, it would have been obvious to one of ordinary

skill in the art to incorporate into the method and system of Ziv-El communicating responses to a database in order to have a record of the responses in association with the students.

2. [Claim 19]: Regarding Claim 19, Ziv-El discloses wherein the teacher initiates the communication of the URL to the plurality of students. See FIG.7 and Col.18: 39-45. Ziv-El does not disclose expressly the Web page of the Web site is simultaneously displayed to the teacher and the students. However, displaying content simultaneously to teachers and students is old and well known in the art. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate into the method and system of Ziv-El displaying content simultaneously in order facilitate instruction of educational content.

3. [Claim 23]: Regarding Claim 23, Ziv-El does not disclose program instructions for creation of an indicator on the Web page on the teacher's screen which copies to same positions on the corresponding Web pages on the screens of student computers. However, such is old and well known in the art. Therefore, at the time of the invention, it would have been obvious to one of ordinary skill in the art to incorporate into the method and system of Ziv-El in order to facilitate instruction and to provide for a more efficient way of indicating particular educational content to students.

4. [Claim 24]: Regarding Claim 24, Ziv-El discloses wherein the teacher and the students communicate through an Internet. See Col.3: 66-Col.4: 9.



***Citation of Pertinent Prior Art***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Ho et al. (US 6,498,921)  
-method and system to answer a natural-language question
- Sonnenfeld (US 6,112,049)  
-computer network based testing system

***Response to Arguments***

Applicant's arguments with respect to claims 1-35 and 37 have been considered but are moot in view of the new ground(s) of rejection. Therefore, this action is made NON-FINAL.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanda L. Harris whose telephone number is 703-308-8358. The examiner can normally be reached on M-F 6:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tom Hughes can be reached on 703-308-1806. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9302 for regular communications and 703-872-9303 for After Final communications.

  
JOHN EDMUND ROVNAK  
PRIMARY EXAMINER

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1148.

*ch.*  
ch.

December 24, 2002